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12 Attorneys for Debtors and Debtors-in-Possession

13 **UNITED STATES BANKRUPTCY COURT**  
 14 **DISTRICT OF NEVADA**

15 In re:  
 16 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR  
 Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

17 In re:  
 18 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

Chapter 11

19 In re:  
 20 USA CAPITAL DIVERSIFIED TRUST DEED  
 FUND, LLC,  
 Debtor.

Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

21 In re:  
 22 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

**NOTICE OF HEARING ON USA  
 CAPITAL FIRST TRUST DEED  
 FUND, LLC'S OBJECTION TO  
 CLAIM NOS. 83, 84, AND 85 FILED  
 BY THE PENSION BENEFIT  
 GUARANTY CORPORATION**

23 In re:  
 24 USA SECURITIES, LLC,  
 Debtor.

25 Affects:  
 26  All Debtors  
 USA Commercial Mortgage Company  
 USA Securities, LLC  
 USA Capital Realty Advisors, LLC  
 USA Capital Diversified Trust Deed Fund, LLC  
 USA Capital First Trust Deed Fund, LLC

Date: January 31, 2007  
 Time: 9:30 a.m.

1 NOTICE IS HEREBY GIVEN that USA Capital First Trust Deed Fund, LLC ("FTDF"),  
 2 by and through its counsel, has filed an Objection To Claim Nos. 83, 84, and 85 Filed By The  
 3 Pension Benefit Guaranty Corporation (the "Objection"). FTDF requests an order of this Court  
 4 disallowing Claim No. 83, Claim No. 84, and Claim No. 85, all filed by the PBGC, because these  
 5 Claims are not enforceable against FTDF under applicable law.

6 Any Opposition must be filed pursuant to Local Rule 9014(d)(1).

7 Local Rule 9014(d)(1): "Oppositions to a motion must be filed and  
 8 service must be completed on the movant no later than fifteen (15)  
 9 days after the motion is served except as provided by LR 3007(b)  
 10 and LR 9006. If the hearing has been set on less than fifteen (15)  
 11 days' notice, the opposition must be filed no later than five (5)  
 12 business days before the hearing, unless the court orders otherwise.  
 13 The opposition must set forth all relevant facts and any relevant  
 14 legal authority. An opposition must be supported by affidavits or  
 15 declarations that conform to the provisions of subsection (c) of this  
 16 rule."

17 If you object to the relief requested, you *must* file a WRITTEN response to this  
 18 pleading with the court. You *must* also serve your written response on the person who sent  
 19 you this notice.

20 If you do not file a written response with the court, or if you do not serve your written  
 21 response on the person who sent you this notice, then:

- 22 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 23 • The court may *rule against you* without formally calling the matter at the hearing.

24 A copy of the Objection may be obtained by accessing BMC Group, Inc.'s website at  
 25 [www.bmcgroup.com/usacmc](http://www.bmcgroup.com/usacmc), by accessing PACER through the United States Bankruptcy Court  
 26 website for Nevada at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov), by contacting BMC Group at telephone: (888) 909-  
 0100, or by contacting the office of the Debtor's counsel, Schwartzer & McPherson Law Firm,  
 telephone: (702) 228-7590 or fax: (702) 892-0122

27 NOTICE IS FURTHER GIVEN that the hearing on the Objection may be continued  
 28 without further notice.

1 NOTICE IS FURTHER GIVEN that the hearing on the Objection will be held before a  
2 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South,  
3 3<sup>rd</sup> Floor, Las Vegas, Nevada on **January 31, 2007 at 9:30 a.m.**  
4 Respectfully submitted this 22<sup>nd</sup> day of December, 2006.

5 /s/ Jeanette E. McPherson

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